

ESTTA Tracking number: **ESTTA730773**

Filing date: **03/02/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91224580
Party	Plaintiff Andre Young
Correspondence Address	James D. Weinberger Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Plaza6th Floor New York, NY 10017 UNITED STATES jweinberger@frosszelnick.com, eweiss@frosszelnick.com
Submission	Motion to Consolidate
Filer's Name	James D. Weinberger
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Signature	/s/ James D. Weinberger
Date	03/02/2016
Attachments	Motion to Consolidate (DR. DRAI) (F1890820x96B9E).pdf(14779 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ANDRE YOUNG,

Opposer,

-against-

DRAION M. BURCH DO, LLC,

Applicant.

Opposition Nos. 91224580, 91226572

**MOTION ON CONSENT TO CONSOLIDATE
PROCEEDINGS AND RESET DEADLINES**

Pursuant to Federal Rule of Civil Procedure 42(a) and Trademark Trial and Appeal Board Manual of Procedure Section 511, Opposer Andre Young, with the consent of Applicant Draion M . Burch Do, LLC, hereby requests that Opposition Nos. 91224580 and 91226572 (the “Proceedings”) be consolidated. The Oppositions involve identical parties and marks that share a common element (DR. DRAI), as well as common and substantially overlapping facts, law, discovery and evidence. As such, consolidation of the proceedings would save considerable time, effort and expense.

Opposer further requests that the Board set reset the schedule to match those dates already set in Opposition No. 91226572, which is the latest of the three pending Proceedings, as follows:

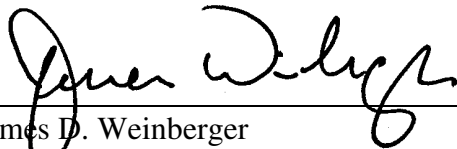
Time to Answer in Opp. No. 91226572	4/6/2016
Deadline for Discovery Conference	5/6/2016
Discovery Opens	5/6/2016
Initial Disclosures Due	6/5/2016
Expert Disclosures Due	10/3/2016

Discovery Closes	11/2/2016
Plaintiff's Pretrial Disclosures	12/17/2016
Plaintiff's 30-day Trial Period Ends	1/31/2017
Defendant's Pretrial Disclosures	2/15/2017
Defendant's 30-day Trial Period Ends	4/1/2017
Plaintiff's Rebuttal Disclosures	4/16/2017
Plaintiff's 15-day Rebuttal Period Ends	5/16/2017

Counsel for Applicant, Andrea H. Evans, Esq., consented to this motion via electronic mail on March 2, 2016

Dated: New York, New York
March 2, 2016

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

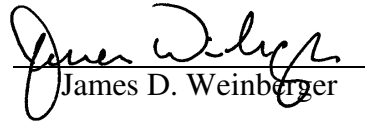
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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that, on March 2, 2016, the foregoing **MOTION ON CONSENT TO CONSOLIDATE PROCEEDINGS AND RESET DEADLINES** was sent by first class mail to Applicant's counsel of record as follows:

ANDREA H. EVANS
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Laurel, MD 20707-4902


James D. Weinberger